

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 10, 2002
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Larry Hudkins
Ray Stevens

Commissioners Absent: Kathy Campbell

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was convened at 1:30 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting and the minutes of the public hearing regarding the Lancaster County Budget for Fiscal Year 2002-2003, held on Tuesday, September 3, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.ci.lincoln.ne.us>)

MOTION: Heier moved and Hudkins seconded approval of the minutes of the Board of Commissioners meeting and the minutes of the public hearing regarding the Lancaster County Budget for FY 2002-2003 dated September 3, 2002. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

3) **SPECIAL PRESENTATIONS:**

A. Receipt of grant from Join Together - Deb Sprague, Lincoln Council on Alcoholism and Drugs and Kit Boesch, Human Services Director.

Kit Boesch, Human Services Administrator, appeared and introduced Deb Sprague with Lincoln Council on Alcoholism and Drugs and Topher Hansen, Executive Director of CenterPointe.

Sprague summarized Project Join Together and stated Lincoln/Lancaster County was one of 13 communities who would receive a \$60,000 grant. She explained their focus would be on awareness regarding the issues of substance abuse.

Hansen gave a brief history of the project and reiterated that their focus would be awareness within the community.

MOTION: Hudkins moved and Heier seconded to accept the grant from Join Together. Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

B. Resolution 02-0101 in the matter of commemorating September 11, 2001. (R-02-0101)

The Chair read Resolution 02-0101 into the record.

MOTION: Stevens moved and Hudkins seconded approval of Resolution 02-0101 in the matter of commemorating September 11, 2001. Workman, Hudkins, Stevens and Heier voted aye. Motion carried.

C. Presentation relating to domestic preparedness - Doug Ahlberg, Emergency Management Director

Doug Ahlberg, Emergency Management Director, appeared and gave a brief overview relating to domestic preparedness and submitted the following into the record:

- ▶ Brochure regarding domestic preparedness (Exhibit 1)
- ▶ Brochure regarding suspicious packages (Exhibit 2)
- ▶ Biological and Chemical Agent Quick Reference (Exhibit 3)

4) **CLAIMS FOR REVIEW:**

A. Payment Voucher 645-5412, dated August 1, 2002, payable to David Smith, an employee in the Cooperative Extension Office, in the amount of \$227.78, for work clothing.

MOTION: Heier moved and Stevens seconded approval of Payment Voucher 645-5412, dated August 1, 2002, payable to David Smith, an employee in the Cooperative Extension Office, in the amount of \$227.78, for work clothing. Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

5) **CLAIMS:** **Approval of all claims processed through Tuesday, September 10, 2002.**

MOTION: Heier moved and Hudkins seconded approval of all claims processed through September 10, 2002. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

6) **PUBLIC HEARINGS:**

A. Setting of final tax requests for Lancaster County and the Rural Library.

The Chair opened the public hearing and asked if anyone wished to testify in favor, in opposition or in a neutral position.

Dave Kroeker, Budget and Fiscal Officer, appeared and stated the tax request for the County last year was \$32,597,924 with a rate of 0.2583 as compared to \$35,101,606 with a rate of 0.268327 for Fiscal Year 2002-2003.

The tax request for the rural library last year was \$568,646 with a rate of 0.029986 as compared to \$631,676 with a rate of 0.032376 for Fiscal Year 2002-2003.

Bob Valentine, 2660 Park Avenue, Lincoln, Nebraska appeared and addressed his concerns regarding the County budget.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

6) **PUBLIC HEARINGS CONTINUED:**

B. Application of the Lancaster County Zoning Regulations and Permit Requirements to non-farm dwellings, pursuant to Neb. Rev. Stat. §23-114.03.

The Chair opened the public hearing and asked if anyone wished to testify in favor, in opposition or in a neutral position to the proposal.

Mike DeKalb, Planning, appeared and gave a brief history regarding the proposal.

David Johnson, Deputy County Attorney, appeared and requested that the resolution, which appears as New Business Item 8H, be held for one week.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

C. County Change of Zone 208, from AG Agricultural to R Residential, requested by W. Scott Hayman on behalf of Roger D. Hayman, on property generally located at South 96th Street and Panama Road in Lancaster County, Nebraska.

The Chair opened the public hearing and asked if anyone wished to testify in favor, in opposition or in a neutral position to the change of zone.

W. Scott Hayman, appearing on behalf of Roger D. Hayman, stated the change of zone would allow a 21 foot lot in the abutting R Residential zoning so it can be attached to the existing residential lots.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

MOTION: Heier moved and Hudkins seconded approval of County Change of Zone 208, from AG Agricultural to R Residential, requested by W. Scott Hayman on behalf of Roger D. Hayman, on property generally located at South 96th Street and Panama Road in Lancaster County, Nebraska. Stevens, Hudkins, Heier and Workman voted aye. Motion carried.

7) **OLD BUSINESS:**

A. A resolution in the matter of County maintenance of the following roads located in Hickman Ridge Estates Addition: (R-02-0039)

- ▶ **Approximately 3,236 feet of Hickman Ridge Road**
- ▶ **Approximately 490 feet of Natney Court**
- ▶ **Approximately 701 feet of Natney Street**
- ▶ **Approximately 1,271 feet of Leisure Lane**
- ▶ **Approximately 400 feet of Leisure Place**
- ▶ **Approximately 391 feet of Leisure Court**

MOTION: Hudkins moved and Heier seconded approval of Resolution 02-0039.

Stevens inquired about a discrepancy between the resolution and the attached map.

Larry Worrell, Chief Deputy County Surveyor, appeared and requested the resolution be held one week to allow for clarification.

Both the maker of the motion and the seconder agreed to hold Resolution 02-0039 in the matter of County maintenance of roads located in Hickman Ridge Estates Addition for one week.

8) **NEW BUSINESS:**

A. An application for a Special Designated License from Ducks Unlimited, Eagle Chapter to hold a fund raising banquet on Thursday, October 3, 2002 from 4 p.m. to 12 a.m. at the Waverly Community Center, located at 11120 North 141st Street in Waverly, Lancaster County, Nebraska.

MOTION: Heier moved and Stevens seconded approval of an application for a Special Designated License from Ducks Unlimited, Eagle Chapter to hold a fund raising banquet on Thursday, October 3, 2002 from 4 p.m. to 12 a.m. at the Waverly Community Center, located at 11120 North 141st Street in Waverly, Lancaster County, Nebraska. Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

8) NEW BUSINESS CONTINUED:

- B. An interlocal agreement for the Harvest Project with the Lincoln Area Agency on Aging's Lincoln Information for the Elderly (LAAA/LIFE) for a full-time employee to deliver specialized care manager services to the elderly in Lancaster County who are at risk due to complex mental health, substance abuse and age related needs and to determine suitability to the project. The term of the agreement is July 1, 2002 to June 30, 2003. The County shall pay up to \$48,108. (C-02-0453)**

MOTION: Hudkins moved and Stevens seconded approval of an interlocal agreement for the Harvest Project with the Lincoln Area Agency on Aging's Lincoln Information for the Elderly (LAAA/LIFE) for a full-time employee to deliver specialized care manager services to the elderly in Lancaster County who are at risk due to complex mental health, substance abuse and age related needs and to determine suitability to the project. The term of the agreement is July 1, 2002 to June 30, 2003. The County shall pay up to \$48,108. Heier, Stevens, Workman and Hudkins voted aye. Motion carried.

- C. A contract with ARAMARK Correctional Services, Inc. for annual food service requirements for the Lancaster County Correctional Facilities (LCF), Juvenile Detention Center, Community Mental Health Center (CMHC) and Cornhusker Place. The contract will be in the approximate amount of \$554,149 per year for food preparation and an additional \$40,434.70 per year for delivery to LCF and the Juvenile Detention Center. In addition, negotiated prices for ARAMARK to provide food services and delivery to CMHC are as follows: \$1.114 per meal and \$200.56 per week for delivery. Term of the agreement shall be September 1, 2002 through August 31, 2005 with one, three-year renewal option. (C-02-0454)**

MOTION: Hudkins moved and Stevens seconded approval of a contract with ARAMARK Correctional Services, Inc. for annual food service requirements for the Lancaster County Correctional Facilities (LCF), Juvenile Detention Center, Community Mental Health Center (CMHC) and Cornhusker Place. Hudkins, Stevens, Heier and Workman voted aye. Motion carried.

8) NEW BUSINESS CONTINUED:

D. Correction of clerical errors on a cooperative agreement with the State of Nebraska, Department of Health and Human Services for wraparound services to state wards who reside in Lancaster County.

The corrections are as follows:

1. Delete references to County responsibility for costs necessary to implement and maintain the shared management information system.
2. The County shall accept 70 youth instead of 77 youth by October 1, 2002 and the County will accept the remaining 121 not 114 youth by December 1, 2002.
3. Total start up costs shall be \$323,460 paid to the County instead of \$223,460.

The agreement was approved September 3, 2002 under County contract C-02-0439. (C-02-0439)

MOTION: Hudkins moved and Heier seconded approval to correct clerical errors on a cooperative agreement with the State of Nebraska, Department of Health and Human Services for wraparound services to state wards who reside in Lancaster County. The agreement was approved September 3, 2002 under County contract C-02-0439. Hudkins, Heier, Workman and Stevens voted aye. Motion carried.

E. A resolution suspending the amount the County contributes each pay period to the Post Employment Health Plan (PEHP) for all unrepresented classified and unclassified employees. This is effective the pay period beginning August 22, 2002 and will remain in effect until further action by the County Board. (R-02-0102)

MOTION: Heier moved and Hudkins seconded approval of Resolution 02-0102 suspending the amount the County contributes each pay period to the Post Employment Health Plan (PEHP) for all unrepresented classified and unclassified employees. This is effective the pay period beginning August 22, 2002 and will remain in effect until further action by the County Board. Heier, Stevens, Hudkins and Workman voted aye. Motion carried.

8) **NEW BUSINESS CONTINUED:**

F. A resolution adopting a three percent annual cost of living increase for unrepresented, classified employees, effective the pay period beginning August 22, 2002. (R-02-0103)

MOTION: Heier moved and Hudkins seconded approval of Resolution 02-0103 adopting a three percent annual cost of living increase for unrepresented, classified employees, effective the pay period beginning August 22, 2002. Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

G. A resolution in the matter of setting the 2002-2003 property tax request for Lancaster County at a different amount than that of the prior year. (R-02-0105)

MOTION: Hudkins moved and Heier seconded approval of Resolution 02-0105 in the matter of setting the 2002-2003 property tax request for Lancaster County at a different amount than that of the prior year. Workman, Hudkins, Stevens and Heier voted aye. Motion carried.

H. A resolution in the matter of application of the Lancaster County Zoning Regulations and Permit Requirements to farm residences or non-farm dwellings. (R-02-0106)

At the request of the County Attorney's Office, this item was held for one week.

9) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. County Clerk's Monthly Report for August, 2002.
2. Records and Information Management's Monthly Report for August, 2002.

B. Request from Michelle Olivetti, an employee with Lancaster Manor, to voluntarily participate in the Lancaster County Retirement Plan.

9) CONSENT ITEMS CONTINUED:

- C. A resolution in the matter of an application for a Class B (Beer Off Sale Only) and a Class M (Bottle Club) liquor license from Dustin and Nancy Duba d/b/a Dusty's Bar & Grill located at 109 1st Street in Kramer, Lancaster County, Nebraska. (R-02-0104)
- D. Leasehold contracts relating to road improvements between the Lancaster County Engineering Department and the following:
- ▶ Gregory Retzlaff, in the amount of \$10, at 24200 South 190th Street; Project C55-QR-408(1). (C-02-0451)
 - ▶ Leonard Ringland, in the amount of \$10, at 16700 South 148th Street; Project C55-QR-408(1). (C-02-0452)
- E. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:
- ▶ Terry and Donna Pett, in the amount of \$487.50, at 10900 South 120th Street; Project C55-QR-408(1). (C-02-0441)
 - ▶ Robert and Nicole Lyman, in the amount of \$65, at 11120 South 120th Street; Project C55-QR-408(1). (C-02-0442)
 - ▶ Marge Baade, in the amount of \$180, at 12001 Rokeby Road; Project C55-QR-408(1). (C-02-0443)
 - ▶ Nicholas Parks, in the amount of \$601, at 10700 South 120th Street; Project C55-QR-408(1). (C-02-0444)
 - ▶ Kent and Kristen Forke, in the amount of \$532.65, on Alvo Road north of North 134th Street; Project C.P.H-134. (C-02-0445)
 - ▶ Kent Forke, in the amount of \$4.19, on Alvo Road north of North 134th Street; Project C.P.H-134. (C-02-0446)
 - ▶ Claudia Parks, in the total amount of \$711.50, at 10300 South 120th Street; Project C55-QR-408(1). (2 contracts) (C-02-0447 and C-02-0448)
 - ▶ Mario and Michelle Mota, in the total amount of \$503.50, at 10740 South 120th Street; Project C55-QR-408(1). (2 contracts) (C-02-0449 and C-02-0450)

MOTION: Heier moved and Stevens seconded approval of the Consent Items. Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

10) **OTHER BUSINESS:**

Bob Valentine, 2660 Park Avenue, Lincoln, Nebraska, appeared and addressed his concerns regarding the joint public agency agreement which created the Lancaster County Fairgrounds Joint Public Agency.

11) **ADJOURNMENT:**

MOTION: Heier moved and Stevens seconded adjournment of the Board of Commissioners meeting at 3:10 p.m. Heier, Workman, Hudkins and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, SEPTEMBER 10, 2002
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Bob Workman, Chair
Bernie Heier, Vice Chair
Larry Hudkins
Ray Stevens

Commissioners Absent: Kathy Campbell

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was convened at 3:10 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, September 3, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Stevens moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting dated September 3, 2002. Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 1 deduction to the tax assessment rolls per Exhibit A.

MOTION: Stevens moved and Hudkins seconded approval of the deduction to the tax assessment rolls. Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

**First Lutheran Church
Nebraska Annual Conference of the United Methodist Church**

MOTION: Heier moved and Stevens seconded approval of the motor vehicle tax exemption for First Lutheran Church and to also approve the motor vehicle tax exemption for Nebraska Annual Conference of the United Methodist Church subject to the vehicle(s) being titled and registered to the applicant. Workman, Hudkins, Stevens and Heier voted aye. Motion carried.

5) **APPEAL FILED ON PENALTY ASSESSED ON PERSONAL PROPERTY:**

Humphrey Hospitality Trust, Inc.

Norm Agena, County Assessor, explained that the County Board cannot waive the ten percent penalty per State Statute.

MOTION: Hudkins moved and Stevens seconded to deny the appeal filed on the penalty assessed on personal property for Humphrey Hospitality Trust, Inc. Hudkins, Stevens, Workman and Heier voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Stevens moved and Hudkins seconded adjournment of the Board of Equalization meeting at 3:13 p.m. Stevens, Workman, Hudkins and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk

